

REMARKS

Reconsideration of the above-identified application in view of the foregoing amendments and following remarks is respectfully requested.

A. **Status of the Claims and Explanation of Amendments**

Claims 26-32 are pending in this application, including independent claim 26. As to the merits, claims 26 and 28-30 are rejected pursuant to 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,900,918 to Orcutt ("Orcutt"). [12/15/06 Office Action at p. 2-3.] Claim 27 is rejected pursuant to 35 U.S.C. § 103(a) as allegedly being obvious over Orcutt in view of U.S. Patent No. 6,626,542 to Baba et al. ("Baba"). [12/15/06 Office Action at p. 4.] Claims 31 and 32 are rejected pursuant to 35 U.S.C. § 103(a) as allegedly being obvious over Orcutt in view of U.S. Patent No. 5,822,022 to Deter et al. ("Deter"). [12/15/06 Office Action at p. 5.]

By this paper, claims 26, 29, 30, 32 are amended, and claim 28 is cancelled without prejudice or disclaimer.

Claim 26 is amended to recite, inter alia, "a solid axle which connects the first driving mechanism and the second driving mechanism."

Claims 29 and 30 are amended to recite, inter alia, "first driving mechanism." Similar amendments are made to claim 1.

Support for the above amendments are found throughout the application as originally filed, for example, in at least originally filed Fig. 7A, and the corresponding text. No new matter has been added by the claim amendments. Entry of this amendment is respectfully requested.

Applicant and the undersigned wish to thank Andrew T. Sever for the courteous and productive interview conducted on March 26, 2007 with Michael A. Sauer. Because Applicant was not relieved of the duty under 37 C.F.R. § 1.33(b) of providing a summary of the arguments presented during that interview, Applicant provides the following comments:

Upon discussion of potential claim amendments, the Office suggested amending independent claim 26 to recite, among other things, a solid axle between the first driving mechanism and the second driving mechanism as the torsional hinges 114A and 114B of Orcutt cannot be characterized as both driving mechanisms and an axle at the same time.

B. Claims 26 and 29-30 are Novel Over Orcutt

Applicant respectfully traverses the rejection of claims 26 and 28-30 under 35 U.S.C. § 102(b) as allegedly being anticipated by Orcutt. As Applicant has cancelled claim 28, the rejections pertaining to this claim are rendered moot. As explained more fully below, Orcutt fails to teach, disclose or suggest all of the recited claim elements. Accordingly, a rejection for anticipation is improper.

Applicant's claim 26 recites:

1. A scan type display optical system which scans a projection surface with light, comprising:
 - a mirror;
 - a first driving mechanism which scans the projection surface with the light in a first direction by rotating the mirror;
 - a second driving mechanism which rotates the first driving mechanism in the first direction; and

a solid axle which connects the first driving mechanism and the second driving mechanism.

Accordingly, as Applicant cannot find the recited “solid axle” of claim 26, as amended, in the primary reference, Orcutt, and the secondary references, Baba and Deter, fail to remedy this deficiency of the primary reference, where the tortional hinges 114A and 114B of Orcutt cannot be characterized as both driving mechanisms and an axle at the same time, at least independent claim 26, and the claims which are derived therefrom, is not anticipated under 35 U.S.C. § 102(b).

C. **Claim 27 is Patentably Distinct over Orcutt in view of Baba**

Claim 27 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Orcutt in view of Baba.

For at least similar reasons as stated above, and both secondary references failing to remedy the deficiency of the primary reference, Applicant respectfully traverses the 35 U.S.C. § 103(a) rejection of claim 27 over Orcutt in view of Baba.

D. **Claims 31 and 32 are Patentably Distinct over Orcutt in view of Deter**

Claims 31 and 32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Orcutt in view of Deter.

For at least similar reasons as stated above, and both secondary references failing to remedy the deficiency of the primary reference, Applicant respectfully traverses the 35 U.S.C. § 103(a) rejection of claims 31 and 32 over Orcutt in view of Deter.

Applicant has chosen in the interest of expediting prosecution of this patent application to distinguish the cited documents from the pending claims as set forth above. These

statements should not be regarded in any way as admissions that the cited documents are, in fact, prior art.

Finally, Applicant has not specifically addressed the rejections of the dependent claims. Applicant respectfully submits that the independent claims, from which they depend, are in condition for allowance as set forth above. Accordingly, the dependent claims also are in condition for allowance. Applicant, however, reserves the right to address such rejections of the dependent claims in the future as appropriate.


CONCLUSION

For the above-stated reasons, this application is respectfully asserted to be in condition for allowance. An early and favorable examination on the merits is requested. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED FOR THE TIMELY CONSIDERATION OF THIS AMENDMENT UNDER 37 C.F.R. §§ 1.16 AND 1.17, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 13-4500, ORDER NO. 1232-5286.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

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By: 
Michael A. Sauer
Registration No. 58,801

Correspondence Address:
MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile